

**State of Rhode Island and Providence Plantations
DEPARTMENT OF BUSINESS REGULATION (DBR)
1511 Pontiac Avenue, Bldg. 68-2
Cranston, Rhode Island 02920**

**Division of
Design Professionals BOARD OF EXAMINATION AND
REGISTRATION OF ARCHITECTS
MEETING MINUTES**

DATE: September 9, 2013

**PLACE: Department of Business Regulation (DBR)
1511 Pontiac Avenue, Bldg 69-1 Conference Room
Cranston, RI 02920**

MEMBERS PRESENT: Chair Barbara Feibelman, Vice-Chair David R. Prengaman, Secretary Christian J. Ladds, Members David L. DeQuattro and John K. Grosvenor

MEMBERS ABSENT: None

**OTHERS PRESENT: Jenna Algee, Esq., DBR Legal Counsel (Present from 1:07 p.m. - 3:02 p.m. and 3:20 – 3:33 p.m.)
Dawne Broadfield, Board Executive**

CALLED TO ORDER: Chair Feibelman called the meeting to order at 1:07 p.m.

A. MINUTES OF THE MEETING OF THE BOARD

(1) Member Grosvenor moved to approve the open meeting minutes of July 8, 2013 as published. Secretary Ladds seconded. Motion passed, 4-0, four (4) in favor, one (1) abstained. Voting in favor were Chair Feibelman, Secretary Christian J. Ladds, Members David L. DeQuattro and John K. Grosvenor. Vice-Chair David R. Prengaman abstained from this vote since he was not at the last meeting.

(2) Member Grosvenor moved to approve and seal the executive session meeting minutes of the July 8, 2013 as published. Secretary Ladds seconded. Motion passed, 4-0, four (4) in favor, one (1) abstained. Voting in favor were Chair Feibelman, Secretary Christian J. Ladds, Members David L. DeQuattro and John K. Grosvenor. Vice-Chair David R. Prengaman abstained from this vote since he was not at the last meeting.

B. EXECUTIVE SESSION

(1) Member Grosvenor moved to convene into executive session at 1:07 p.m. pursuant to RI General Laws, §42-46-5 (a)(2) for sessions or work sessions pertaining to collective bargaining or litigation and §42-46-5 (a)(4) for investigative proceedings regarding allegations of civil or criminal misconduct. Secretary Ladds seconded. Motion passed, 5-0, five (5) in favor, zero (0) absent. Voting in favor were Chair Feibelman, Vice-Chair David R. Prengaman, Secretary Christian J. Ladds, Members David L. DeQuattro and John K. Grosvenor.

(2) Member Grosvenor moved to adjourn from executive session and to reconvene to an open meeting at 1:40 p.m. pursuant to R.I.G.L. §42-46-4. Member DeQuattro seconded. Motion passed, 5-0, five (5) in favor, zero (0) absent. Voting in favor were Chair Feibelman, Vice-Chair David R. Prengaman, Secretary Christian J. Ladds, Members David L. DeQuattro and John K. Grosvenor.

(3) Member Grosvenor moved to seal the executive session and record the votes taken in executive session pursuant to RI General Laws §42-46-4 and §42-46-5. Member DeQuattro seconded. Motion passed, 5-0, five (5) in favor, zero (0) absent. Voting in favor were Chair Feibelman, Vice-Chair David R. Prengaman, Secretary Christian J. Ladds, Members David L. DeQuattro and John K. Grosvenor.

09/09/13, Page 1 of 6

(4) Member Grosvenor moved to record the votes taken in executive session in accordance with RI General Laws §42-46-4 as follows: Motion was made to close agenda item B. Motion was made to continue the following agenda item A. Member DeQuattro seconded. Motion passed, 5-0, five (5) in favor, zero (0) absent. Voting in favor were Chair Feibelman, Vice-Chair David R. Prengaman, Secretary Christian J. Ladds, Members David L. DeQuattro and John K. Grosvenor.

(5) Member Grosvenor moved pursuant to RI General Law §42-46-4 that the Board defer disclosure of all votes in executive session until such time as such disclosure would not jeopardize any strategy, negotiation, or investigation undertaken concerning RI General Law §42-46-5(a). Secretary Ladds seconded. Motion passed, 5-0, five (5) in favor, zero (0) absent. Voting in favor were Chair Feibelman, Vice-Chair David R. Prengaman, Secretary Christian J. Ladds, Members David L. DeQuattro and John K. Grosvenor.

(6) In Executive Session closed matters, the vote was five (5) to zero (0) to close one (1) matter. Each vote was unanimous at the time that it was taken with zero (0) Board members absent, with no recusals.

(7) In Executive Session pending matters, there is one (1) pending matter, comprised of zero (0) investigation matters and one (1) registration matter with zero (0) absent with no recusals.

C. OLD BUSINESS

(1) Rules and Regulations – (Review for Updating)

Chair Feibelman noted a change is Rule 7 (B) to read in part as follows: Request for declaratory rulings and petitions for rulemaking shall be handled, etc. Vice-Chair Prengaman questioned the deletion of the complaint section. Attorney Algee indicated that the Board now procedurally follows the DBR Central Management Regulation 2

in relation to complaints. The DBR link will be sent to the Board members. Chair Feibelman requested that Attorney Algee review and explain the Regulation with the Board at its next meeting.

Vice-Chair Prengaman moved to accept and move forward the revised Rules and Regulations to Public Hearing. Secretary Ladds seconded.

Motion passed, 5-0, five (5) in favor, zero (0) absent. Voting in favor were Chair Feibelman, Vice-Chair David R. Prengaman, Secretary Christian J. Ladds, Members David L. DeQuattro and John K. Grosvenor.

(2) Legislation-Possible Legislative Changes

• Percentage of Ownership

Chair Feibelman indicated that there are a collection of issues that the Board has been discussing and tracking for further discussion.

Secretary Ladds forwarded a request to the National Council of Architectural Registration Boards (NCARB) to obtain guidance on the percentage of ownership and the nested entity issues. NCARB sent the Board a spreadsheet containing a series of questions and answers pertaining to firm registration in other jurisdictions. In reviewing the spreadsheet, there was no consistency with any of the states.

Member DeQuattro moved that the Board follow the DBR recommendation to use ownership as a measure of a firm's suitability

to practice in the state in preference to changing the law. Member Grosvenor seconded. Discussion occurred. Member Grosvenor stated that he would rather the Board looks at a motion dealing with the Certificate of Authorization (COA) first which may lead the Board to changes related to Member DeQuattro's concerns. For this reason, Member Grosvenor would not vote for the ownership measure. Member DeQuattro indicated that he did not think that the Board is voting for ownership as much as the Board is voting to follow the DBR standards. Motion failed, 1-4, one (1) in favor, four (4) opposed, zero (0) absent. Roll call vote taken as follows: Chair Feibelman opposed, Vice-Chair David R. Prengaman opposed, Secretary Christian J. Ladds opposed, Member David L. DeQuattro approved and Member John K. Grosvenor opposed.

- **Nested Entities**

Attorney Algee discussed a business organization such as a Limited Liability Company ("LLC"). The organization can have as one of its members another entity, which results in an entity within an entity. That business structure is permitted under the general laws that deals with corporations and other business entities.

The Board questioned what the DBR thought was the benefit of the COA.

- **Design Competition Fishing**

The proposed legislative change to allow Design Competition and Fishing was given to DBR. The language was separated by the DBR legislative review and not pursued by the Governor's Office. The Board requested that it be addressed again for the next legislative session.

Member Grosvenor moved to reintroduce the same legislation language as introduced last year to allow "Design Competition and Fishing." Vice-Chair Prengaman amended the motion to put forth both proposed legislative changes as two (2) separate issues, but using the same language in last year. Member Grosvenor accepted the amendment. Secretary Ladds seconded. Motion passed, 4-1, four (4) in favor, one (1) opposed, zero (0) absent. Roll call vote taken as follows: Chair Feibelman voted in favor, Vice-Chair David R. Prengaman voted in favor, Secretary Christian J. Ladds voted in favor, Member David L. DeQuattro opposed and Member John K. Grosvenor voted in favor.

Attorney Algee returned to the meeting to ascertain whether the Board would agree with moving forward discussions with the DBR Director as to a proposed bill that would eliminate the Certificate of Authorization (COA) requirement that would want to be submitted for the Governor's agenda for this legislative session.

Chair Feibelman thought that the Board would be approving

something without having studied it, which probably the Board should not do. The Board, in general, is interested in having a conversation about eliminating the COA requirement. The Board would like to review the history of the statute was prior to COA requirement. The Board felt that it is worthy of discussion.

(3) Warren Ducharme, RI Building Code Commission – (Expo and Seminar) is being rescheduled to early November – details will be available soon.

With no established date, Secretary Ladds moved to continue. Member Grosvenor seconded. Motion passed, 5-0, five (5) in favor, zero (0) absent. Voting in favor were Chair Feibelman, Vice-Chair David R. Prengaman, Secretary Christian J. Ladds, Members David L. DeQuattro and John K. Grosvenor.

(4) National Council of Architectural Registration Boards (NCARB)

- **2013 Annual Meeting – San Diego, CA – (June 19 – 23, 2013)**

Vice-Chair Prengaman stated that there was no further information to add to the previously reported information.

(5) New England Conference of Architectural Registration Boards (NECARB)

- **2013 Fall Meeting – Amherst, MA - (October 25 - 27, 2013)**

The 2013 NECARB Fall meeting will be held at UMass at Amherst. There will be an optional preservation conference on Friday afternoon that UMass was already planning to run which is why the meeting is

being held at this location. There will be the option to attend the preservation conference at a reduced rate. There will be a cocktail reception and dinner on Friday night. The business meeting is on Saturday. There is a tour of the new buildings at UMass at Amherst late Saturday afternoon with another dinner on Saturday night. The business agenda will be distributed to registered attendees.

D. NEW BUSINESS

(1) Future Meeting Dates

Vice-Chair Prengaman moved that beginning January 2014 the Board starts to meet on an every other third Monday of the month basis. Secretary Ladds seconded. Motion passed, 5-0, five (5) in favor, zero (0) absent. Voting in favor were Chair Feibelman, Vice-Chair David R. Prengaman, Secretary Christian J. Ladds, Members David L. DeQuattro and John K. Grosvenor.

(2) NCARB Visit

NCARB, CEO, Michael Armstrong, and Director of Council Relations, Kathy Hillegas, requested to attend a Board meeting as they having been attending across the United States in December. NCARB requested that the Board change the meeting date from December 9, 2013 to December 16, 2013 in order to attend. The Board agreed to the meeting date change.

(3) Any other new business to come before the Board.

E. National Council of Architectural Registration Boards (NCARB) Information and Updates)-(Review/Take Action)

(1) “Intern Think Tank” – Question about notifying individuals. NCARB sends out the notification. No action required.

09/09/13, Page 3 of 6

(2) Letter of Undertaking, Mutual Recognition Agreement between NCARB and Canadian Architectural Licensing Authorities – Board members will review for discussion at the next meeting.

F. APPLICATIONS

1. RECIPROCAL REGISTRATION REQUESTS FROM INDIVIDUALS REGISTERED IN OTHER STATES SEEKING REGISTRATION IN RHODE ISLAND

(A) Secretary Ladds moved to approve the following reciprocal registration requests as submitted with an expiration date of December 31, 2013. Member Grosvenor seconded. Motion passed, 5-0, five (5) in favor, zero (0) absent. Voting in favor were Chair Feibelman, Vice-Chair David R. Prengaman, Secretary Christian J. Ladds, Members David L. DeQuattro and John K. Grosvenor.

(1) ALMEDA, Mark G. (8) MEYER, George C.

(2) BLACK, James B. (9) OXFORD, Glen P.

(3) COTTON, Matthew J. (10) PIPER, Craig D.

(4) GODWIN, James A. (11) SMITH, Michael R.

(5) GOLEMME, Kevin (12) VIVIEN, Michael John

(6) HALE, Allen W. (13) WILLIAMS, Christopher

(7) HARDING, Brady William

(B) Secretary Ladds moved to approve the following reciprocal registration requests as submitted with an expiration date of December 31, 2013 pending receipt of the completed "tax payer status affidavit." Member Grosvenor seconded. Motion passed, 5-0, five (5) in favor, zero (0) absent. Voting in favor were Chair Feibelman, Vice-Chair David R. Prengaman, Secretary Christian J. Ladds, Members David L. DeQuattro and John K. Grosvenor.

(1) MYERS, Randall D. (3) THAMES, Maurice L.

(2) O'LEARY, Michael F.

2. REGISTRATION REINSTATEMENT REQUESTS FROM INDIVIDUALS REQUESTING REINSTATEMENT OF HIS/HER RHODE ISLAND REGISTRATION.

(A) Secretary Ladds moved to approve the following reciprocal reinstatement registration request as submitted with an expiration date of December 31, 2013. Member Grosvenor seconded. Motion passed, 5-0, five (5) in favor, zero (0) absent. Voting in favor were Chair Feibelman, Vice-Chair David R. Prengaman, Secretary Christian J. Ladds, Members David L. DeQuattro and John K. Grosvenor.

(1) O'LEARY, William F. (3644)

3. INITIAL REGISTRATION REQUESTS FROM INDIVIDUALS WHO HAVE COMPLETED THE REQUIRED EDUCATION, INTERN

DEVELOPMENT PROGRAM (IDP) AND THE ARCHITECTURAL REGISTRATION EXAMINATION (ARE) THROUGH THE NATIONAL COUNCIL OF ARCHITECTURAL REGISTRATION BOARDS (NCARB) DIRECT REGISTRATION PROGRAM

(A) Secretary Ladds moved to approve the following initial registration requests with an expiration date of December 31, 2013 pending receipt of \$60 registration fee and a completed Tax Payer Status Affidavit. Secretary Ladds seconded. Motion passed, 5-0, five (5) in favor, zero (0) absent. Voting in favor were Chair Feibelman, Vice-Chair David R. Prengaman, Secretary Christian J. Ladds, Members David L. DeQuattro and John K. Grosvenor.

(1) BURDICK, Carl (2) VARGAS, Jose

4. CERTIFICATES OF AUTHORIZATION (COA) APPLICATIONS (See Attached List)

(A) Secretary Ladds moved to approve the applications for the Certificates of Authorization for the Sole Proprietorships for the name change from Melissa R. Hutchinson, AIA, #A-10774, to Melissa R. Hutchinson, AIA dba MHArchitect and David Sisson. Member DeQuattro seconded. Motion passed, 4-0, four (4) in favor, one (1) abstained. Voting in favor were Chair Feibelman, Vice-Chair David R. Prengaman, Secretary Christian J. Ladds, and Member David L. DeQuattro. John K. Grosvenor abstained from this vote because Melissa R. Hutchinson was an associate in his firm.

(B) Secretary Ladds moved to approve the application for the

Certificate of Authorization for the Sole Proprietorship for Robert A. Santaniello subject to his completing and returning via e-mail the question of the number of employees. Member DeQuattro seconded. Motion passed, 4-0, four (4) in favor, one (1) abstained. Voting in favor were Chair Feibelman, Secretary Christian J. Ladds, Members David L. DeQuattro and John K. Grosvenor. Vice-Chair David R. Prengaman abstained from this vote.

09/09/13, Page 4 of 6

(C) Secretary Ladds moved to conditionally approve the application for the Certificate of Authorization for the Limited Liability Company for Cube 3 Studio Architecture, LLC subject to receipt of the Certificate of Good Standing from the Rhode Island Secretary of State's office. Member Grosvenor seconded. Discussion occurred. Secretary Ladds amended his motion to include a letter indicating that the firm needs to practice under the name Cube 3 Studio Architecture, LLC as approved by the Board. All instruments of service must reflect the approved name in that the Board noted similarities in another firm. Member Grosvenor seconded the amended motion. Motion passed, 5-0, five (5) in favor, zero (0) absent. Voting in favor were Chair Feibelman, Vice-Chair David R. Prengaman, Secretary Christian J. Ladds, Members David L. DeQuattro and John K. Grosvenor.

(D) Secretary Ladds moved to approve the applications for the Certificates of Authorization for the Corporations for CMC Architecture, PC, HMD Group PA, SFCS of Rhode Island, Inc. subject

to receipt of the Certificate of Good Standing from the Rhode Island Secretary of State's office and the change in responsible control for Shremshock Architects, Inc. #A-14,145. Member Grosvenor seconded. Motion passed, 5-0, five (5) in favor, zero (0) absent. Voting in favor were Chair Feibelman, Vice-Chair David R. Prengaman, Secretary Christian J. Ladds, Members David L. DeQuattro and John K. Grosvenor.

(E) Secretary Ladds moved to continue the application for the application for Certificate of Authorization for the Corporation for CTA Inc. as submitted. The Board is waiting for a corrected application since the person listed in responsible control was not a Director/Officer. Member Grosvenor seconded. Motion passed, 5-0, five (5) in favor, zero (0) absent. Voting in favor were Chair Feibelman, Vice-Chair David R. Prengaman, Secretary Christian J. Ladds, Members David L. DeQuattro and John K. Grosvenor.

(F) Secretary Ladds moved to approve for the application for Certificate of Authorization for the Corporation for Joseph T. Sepot, A.I.A., P.C., previously approved as Joseph T. Sepot, AIA, Architect. Certificate of Good Standing from the Rhode Island Secretary of State's office received in the name of Joseph T. Sepot, A.I.A, P.C. Member Grosvenor seconded. Motion passed, 5-0, five (5) in favor, zero (0) absent. Voting in favor were Chair Feibelman, Vice-Chair David R. Prengaman, Secretary Christian J. Ladds, Members David L. DeQuattro and John K. Grosvenor.

(G) Secretary Ladds moved to approve the application for the Certificate of Authorization for the Corporation for Leavitt Associates.

Member Grosvenor seconded. Motion passed, 5-0, five (5) in favor, zero (0) absent. Voting in favor were Chair Feibelman, Vice-Chair David R. Prengaman, Secretary Christian J. Ladds, Members David L. DeQuattro and John K. Grosvenor.

(H) Secretary Ladds moved to continue the application for the Certificate of Authorization for the Corporation for Pasma Group Inc. as the Board is waiting for a response to its September 5, 2013 letter.

Member Grosvenor seconded. Motion passed, 5-0, five (5) in favor, zero (0) absent. Voting in favor were Chair Feibelman, Vice-Chair David R. Prengaman, Secretary Christian J. Ladds, Members David L. DeQuattro and John K. Grosvenor.

G. ADJOURNMENT

Chair Prengaman announced that the next Board meeting is scheduled for Monday, October 21, 2013, at 1:00 p.m. at the DBR, John O. Pastore Center, 1511 Pontiac Avenue, Conference Room 68-1, Cranston, RI 02920. Chair Feibelman moved to adjourn the meeting at 3:54 p.m. Member Grosvenor seconded. Motion passed, 5-0, five (5) in favor, zero (0) absent. Voting in favor were Chair Feibelman, Vice-Chair David R. Prengaman, Secretary Christian J. Ladds, Members David L. DeQuattro and John K. Grosvenor.

Respectfully submitted,

**Christian J. Ladds, AIA
Secretary**

CJL/dmb

• **Posted on October 22, 2013 electronically on Secretary of State's Office website. Pursuant to the Open Meetings Law, R.I. Gen. Laws Sec. 42-46-6(b), business not included in this notice may be considered with the consent of the majority of the members, and/or may convene into Executive (closed) Session pursuant to R.I. Gen. Laws Sec. 42-46-5.**

09/09/13, Page 5 of 6

**CERTIFICATE OF AUTHORIZATION (COA) APPLICATIONS
Board Meeting of SEPTEMBER 9, 2013**

SOLE PROPRIETORSHIPS

MELISSA R. HUTCHINSON, AIA - 0 - RI APPROVED – 09/09/13

DBA MHArchitect

#A-10,774 – Name Change

From: Melissa R. Hutchinson, AIA

APPROVED – 09/09/13

**ROBERT A. SANTANIELLO - 0 - RI PENDING ANSWER TO QUESTION
#1**

DAVID SISSON - 0 - RI APPROVED – 09/09/13

LIMITED LIABILITY COMPANIES

**CUBE 3 STUDIO ARCHITECTURE, LLC - 0 - MA APPROVED – ALONG
WITH LETTER -**

**MUST PRACTICE UNDER EXACT NAME –
ALL INSTRUMENTS OF SERVICE MUST
REFLECT APPROVED NAME – 09/09/13.**

CORPORATIONS

CMC ARCHITECTURE, PC - 0 - MA APPROVED – 09/09/13

CTA, INC. - 0 - MT CONTINUE – 04/08/13

**CORRECT INFORMATION IN THE
POSITION TITLE COLUMN AND LIST ONLY
DIRECTORS AND OFFICERS AND UNDER**

**PROFESSION LIST THE ARCHITECTS AND
ENGINEERS STATE OF LICENSURE AND
LICENSE NUMBER**

**CONTINUE – 05/13/1/3 - NOTIFY PERSON
IN RESPONSIBLE CONTROL MUST BE A
DIRECTOR AND/OR OFFICER.**

**BD NOTIFIED VIA TELEPHONE – PERSON
LISTED IS NOT A DIRECTOR OR OFFICER**

**- CONTINUE 06/10/13 – CONTINUE – 07/08/13
CONTINUE – 09/09/13**

HMD GROUP PA - 0 - FL APPROVED – 09/09/13

**JOSEPH T. SEBOT, A.I.A., P.C. - 0 - CT APPROVED – 09/09/13
Name Change**

**Board Approved the Name of: Joseph T. Sepot AIA, Architect
Certificate of Good Standing received in the name of
Joseph T. Sepot, A.I.A, P.C – Name did not match.**

LEAVITT ASSOCIATES - 0 - MA APPROVED – 09/09/13

CONTINUE – 07/08/13 – REQUEST HOW TO

**PASMA GROUP INC. - 0 - IL COMPLY WITH 2/3RD – 1/3RD
CONTINUE – 09/09/13**

SFCS OF RHODE ISLAND, INC. - 0 - VA APPROVED – 09/09/13

SHREMSHOCK ARCHITECTS, INC. - 0 - OH APPROVED – 09/09/13

#A-14,145 – Change in Responsible Charge

Added: Timothy J. Shremshock (3975)

09/09/13

Page 6 of 6